

Message Text

CONFIDENTIAL

PAGE 01 ANKARA 05940 01 OF 02 031710Z

65

ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W

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O R 031610Z AUG 76

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC IMMEDIATE 4469

INFO AMEMBASSY ATHENS

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY NICOSIA

AMEMBASSY THE HAGUE

USMISSION NATO

USNMR SHAPE

C O N F I D E N T I A L SECTION 1 OF 2 ANKARA 5940

EXDIS

USNMR SHAPE DISTRIBUTE AS SPECATE EXCLUSIVE

E.O. 11652: GDS

TAGS: PFOR, PLOS, GR, TU

SUBJ: DEMARCHE TO CAGLAYANGIL ON SISMIL I.

REF: STATE 190363 (DTG 310347Z JUL 76)

1. I MET WITH FONMIN CAGLAYANGIL MORNING OF AUGUST 3 TO CARRY OUT INSTRUCTIONS REFTEL. I BEGAN THE MEETING BY BRIEFLY REVIEWING MY PREVIOUS CONVERSATIONS WITH ELEKDAG CONCERNING THE SISMIL AND NOTING THAT I HAD REPORTED THEM IN DETAIL TO WASHINGTON. I SAID THAT AS A RESULT OF THESE REPORTS, THE SECRETARY HAD ASKED ME TO SEE THE FONMIN AND HAD ASKED AMBASSADOR KUBISCH TO SEE PRIMIN CARAMANLIS TO REQUEST OF BOTH GOVERNMENTS THAT THE USEFUL DISCUSSIONS BETWEEN GREECE AND TURKEY CONCERNING THE OPERATIONS OF THE SISMIL BE RESUMED AND THAT A WAY BE FOUND TO AVOID A CLASH OVER THIS ISSUE.

2. DURING THE 1 1/2 HOURS OF DISCUSSIONS THAT FOLLOWED,
CONFIDENTIAL

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PAGE 02 ANKARA 05940 01 OF 02 031710Z

CAGLAYANGIL REPEATED SEVERAL TIMES THE BASIC TURKISH POSITION

WITH WHICH THE DEPARTMENT IS FAMILIAR. HE SAID THAT THE SITUATION IN THE AEGEAN IS SUI GENERIS. HE SAID THAT GREECE AND TURKEY HOLD INCOMPATIBLE LEGAL VIEWS ABOUT THE STATUS OF THE CONTINENTAL SHELF AND THAT THEREFORE A POLITICAL SOLUTION IS NECESSARY. IN CONTRAST, HE SAID, THE GREEKS MAINTAIN IT IS A LEGAL DISPUTE AND ISIST ON A LEGAL SOLUTION. HE CLAIMED THE GREEKS' LEGAL POSITION, WHICH IS BASED ON THE 1958 GENEVA CONVENTION, IS SUBJECT TO DISPUTE IN VIEW OF DEVELOPMENTS AT THE CURRENT LAW OF THE SEA NEGOTIATIONS. CAGLAYANGIL SAID THAT THE BASIC TURKISH POSITION IS THAT SINCE THE LEGAL STATUS OF THE CONTINENTAL SHELF IN THE AEGEAN IS SUBJECT TO DISPUTE, NEITHER PARTY CAN CLAIM TO EXERCISE SOVEREIGN RIGHTS OVER ANY PART OF THE CONTINENTAL SHELF. CAGLAYANGIL SAID THAT THE GREEKS HAD ASSEMBLED EXTENSIVE DATA ON THE AEGEAN CONTINENTAL SHELF STARTING IN THE 1960'S AND THAT ALL TURKEY IS TRYING TO DO NOW IS TO DUPLICATE THAT EFFORT. TURKEY IS NOT PREJUDGING THE QUESTION OF SOVEREIGN RIGHTS IN THE AEGEAN AND HAS SAID PUBLICLY THAT THE RESEARCH IT IS CONDUCTING NOW IS IRRELEVANT TO SOVEREIGNTY CLAIMS.

3. CAGLAYANGIL SAID HE HAD MADE THESE LATTER TWO POINTS TO AMBASSADOR COSMADOPOULOS AND THE AMBASSADOR HAD SAID THAT HE WAS GREATLY RELIEVED BY THE TURKISH POSITION AND THE HE WOULD CONVEY IT TO HIS GOVERNMENT. AFTER DOING SO, HOWEVER, COSMADOPOULOS RETURNED AND TOLD CAGLAYANGIL, "WE AGREE, BUT WE HAVE A FEW REMARKS." THESE REMARKS, SAID CAGLAYANGIL, WERE A) THE GREEK SHIPS WILL ESCORT THE SISMİK AT A DISTANCE BUT TURKISH SHIPS SHOULD NOT DO SO AND B) THAT TURKEY PROVIDE IN ADVANCE THE COMPLETE PROJECTED PLAN OF OPERATIONS OF THE SISMİK. CAGLAYANGIL SAID THAT THE TURKISH ANSWER TO THESE REMARKS WAS THAT THE GREEK GOVERNMENT WAS MAKING A GREAT PSYCHOLOGICAL MISTAKE BECAUSE THE GOT WOULD NOT ACCEPT ANY CONDITIONS ON ITS OPERATIONS. HE SAID HE TOLD COSMADOPOULOS THAT THE SISMİK WOULD SAIL AND THE GREEKS COULD DO WHAT THEY WANTED.

4. IN RESPONSE TO THESE THEMES, I PRESENTED SEVERAL COUNTER-ARGUMENTS. I NOTED THAT BOTH TURKEY AND GREECE HOLD QUITE DIFFERENT LEGAL POSITIONS WHICH THEY BOTH BZLIEVE TO

CONFIDENTIAL

PAGE 03 ANKARA 05940 01 OF 02 031710Z

BE CORRECT. I POINTED OUT THAT THE GOG SHARES WITH THE GOT HE DIFFICULTY OF OPERATING WITHIN A DEMOCRATIC SOCIETY AND THAT IT IS DIFFICULT FOR THE GOG AS WELL AS THE GOT TO TAKE ANY ACTIONS WHICH WOULD SEEM TO BE DENYING THE LEGAL RIGHTS THEY BELIEVE IN. I ASKED CAGLAYANGIL TO TRY TO PUT HIMSELF IN THE POSITION OF THE ALLIES OF THESE TWO COUNTRIES WHO SEE TWO FRIENDS HOLDING TWO CONFLICTING POSITIONS AND HEADING TOWARDS POTENTIAL CONFLICT. I SAID I AGREED THAT A

POLITICAL SOLUTION MIGHT BE NECESSARY TO RESOLVE THE PROBLEM BUT I ALSO SAID I DID NOT RPT NOT ACCEPT THE VIEW THAT THERE MIGHT NOT BE A ROLE FOR THE INTERNATIONAL COURT OF JUSTICE (ICJ). I POINTED OUT THAT IT MIGHT BE EASIER FOR EITHER COUNTRY TO "GIVE UP A RIGHT" IF THE ICJ SHOULD HOLD THAT THAT RIGHT DID NOT RPT NOT EXIST TO BEGIN WITH. I SAID THAT THE IMMEDIATE PROBLEM, HOWEVER, WAS TO TRY TO FIND SOME SORT OF MODUS VIVENDI WHICH WOULD PREVENT A CLASH BETWEEN TWO ALLIES AND THAT IT WAS FOR THIS REASON THAT THE SECRETARY HAD ASKED ME TO URGE THAT THE TALKS BETWEEN GREECE AND TURKEY BE RESUMED. I ALSO NOTED THAT SINCE TURKEY WAS THE LARGER AND MORE POWERFUL OF THESE TWO STATES, IT WOULD SEEM REASONABLE FOR THE GOT TO TAKE THE INITIATIVE TO GET THE TALKS STARTED AGAIN.

5. CAGLAYANGIL SAID THAT HIS GOVERNMENT HAD ACTED SO "PEACEFULLY" IN THIS SITUATION THAT THE OPPOSITION WAS ACCUSING IT OF BETRAYING THE COUNTRY. HE THEN SAID THAT HIS REQUEST OF THE US AND OTHER ALLIES WAS THAT THEY STOP TREATING GREECE LIKE A SPOILED CHILD WHO MUST ALWAYS HAVE IT WAY. HE ASSERTED THAT THE TURKISH LEGAL POSITION WAS CORRECT. NEVERTHELESS,

THE GOT HAD EXTENDED HER HAND IN FRIENDSHIP TO THE GREEKS AND HAD STATED SHE WAS NOT GOING TO VIOLATE GREECE'S SOVEREIGNTY CLAIMS. THIS GESTURE HAD BEEN REJECTED. HE SAID, "TURKEY CANNOT CHANGE ITS POSITION ONE MILLIMETER. THERE MAY BE WAR, BUT WE CANNOT BACK DOWN."

6. AT THIS POINT I INTERRUPTED TO SAY THAT IT WAS DIFFICULT FOR ME TO SIT THERE AND HEAR IT SUGGESTED THAT THERE COULD BE WAR OVER A PROBLEM THAT IS CLEARLY SUBJECT TO DIPLOMATIC SOLUTION. I SAID THAT I CONSIDERED IT IRRESPONSIBLE TO THE ALLIANCE NOT TO MAKE A NEW ATTEMPT TO CONFIDENTIAL

CONFIDENTIAL

PAGE 04 ANKARA 05940 01 OF 02 031710Z

RESOLVE IT. I ALSO SAID THAT IT WAS VERY DIFFICULT FOR ME TO ACCEPT THE IDEA THAT GREECE WAS BEING TREATED AS A SPOILED CHILD WHO ALWAYS GOT ITS WAY. WHERE IN THE PAST TWO YEARS, I ASKED, HAS GREECE "GOTTEN ITS WAY?" I ASSERTED THAT THE ADMINISTRATION HAS BEEN VERY EVEN-HANDED IN ITS DEALINGS WITH GREECE AND TURKEY--AT SOME DOMESTIC POLITICAL COST.

7. CAGLAYANGIL THEN AGAIN REPEATED THE TURKISH POSITION AND SAID THAT TURKEY WAS ALWAYS READY TO NEGOTIATE. IT COULD NOT, HOWEVER, ACCEPT ANY CONDITIONS OR LIMITATIONS ON THE OPERATIONS OF THE SISMİK. HE ALSO SAID THAT THE GREEKS HAD BEGUN NEGOTIATIONS AND HAD BROKEN OFF NEGOTIATIONS AND THAT IT WAS UP TO THEM TO RESUME THEM IF THEY WANTED TO. THE GOT HAD NO CONCESSIONS TO GIVE AND IT WAS OUT OF THE QUESTION

FOR IT TO INVITE THE GREEKS TO RESUME NEGOTIATIONS.

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PAGE 01 ANKARA 05940 02 OF 02 031723Z

44

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USMISSION NATO

USNMR SHAPE

C O N F I D E N T I A L SECTION 2 OF 2 ANKARA 5940

EXDIS

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IM I REITERATED SEVERAL TIMES THAT IN OUR VIEW NEITHER SIDE HAD AN AIR-TIGHT LEGAL CASE AND THAT THE WHOLE PROBLEM WAS SUBJECT TO LEGITMATE DISPUTE. I SAID THAT WHAT THE SECRETARY WAS ASKING WAS THAT IN THE FIRST INSTANCE THE TWO COUNTRIES RESUME DISCUSSIONS OF THE SSMIK PROBLEM AND FIND A MEANS OF AVOIDING A CLASH. I ARGUED THAT CONSIDERABLE PROGRESS HAD BEEN MADE DURING THE PREVIOUS TALKS AND THAT MORE DIFFICULT PROBLEMS THAN THE ONES REMAINING HAD BEEN RESOLVED. I SAID IT SEEMED TO ME THAT THE TWO REMAINING STICKING POINTS WERE NOT INSURMOUNTABLE AND I SUGGESTED SOME POSSIBLE APPROACHES THE TWO GOVERNMENTS MIGHT TAKE. I ALSO MADE THE POINT THAT SECRETARY KISSINGER WAS NOT ASKING EITHER THE GOT OR THE GOG TO MAKE CONCESSIONS. HE WAS SIMPLY ASKING THAT BOTH PARTIES RESUME ATTEMPTS TO AVOID THE POSSIBILITY OF AN ARMED CONFLICT BETWEEN TWO OF OUR ALLIES.

9. CAGLAYANGIL WAS UNYIELDING. HE SAID, "WE ARE MAKING

NO THREATS; HOWEVER, WE HAVE OUR RIGHTS AND WE WILL EXERCISE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 ANKARA 05940 02 OF 02 031723Z

THEM. IF THE GREEKS WANT TO TALK, THEY CAN COME AND ASK
THAT TALKS BE RESUMED." HE SAID TURKEY HAS NO AGGRESSIVE
INTENTIONS AND DOES NOT INTEND TO PROVOKE INCIDENTS, BUT IF
THE GREEKS CHOOSE TO CREATTE AN INCIDENT, TURKEY WILL ANSWER
IN KIND.

10. I CONCLUDED THIS PORTION OF THE CONVERSATION BY SAYING THAT I
WOULD REPORT WHAT THE FONMIN HAD TOLD ME, BUT THAT I WAS
DISCOURAGED BECAUSE IT APPEARED THAT TWO ALLIES WERE
WILLING TO RISK WAR OVER THE ACTIVITIES OF A SHIP THAT DID NOT
AFFECT THE LEGAL POSITIONS OF EITHER COUNTRY. I ALSO POINTED
OUT THE DAMAGING EFFECTS THAT ANY SUCH CLASH WOULD HAVE
ON THE CHANCES OF CONGRESSIONAL APPROVAL OF THE TURKISH-
US DEFENSE COOPERATION AGREEMENT. ANY SERIOUS SHOOTING
MATCH IN THE AEGEAN WAS LIKELY "TO PUT THE AGREEMENT DOWN
THE DRAIN" FOR A LONG TIME TO COME.

11. CAGLAYANGIL'S ONLY RESPONSE WAS TO REPEAT WITH SOME
PASSION THAT THE AEGEAN IS NOT A GREEK LAKE AND THAT
TURKEY WILL NOT ACCEPT CONDITIONS ON HER ACTIVITIES THERE.
HE REPEATED THAT TURKEY WAS WILLING TO RESUME DISCUSSIONS,
BUT THAT IT WOULD NOT TAKE THE INITIATIVE TO DO SO.

12. COMMENT: AS I TOLD CAGLAYANGIL, I AM SOMEWHAT DISCOURAGED.
PARTLY FOR REASONS OF STRATEGY, PARTLY FOR REASONS OF
TRUCULENCE AND PARTLY IN RESPON TO REAL OR IMAGINED
DOMESTIC POLITICAL PRESSURES, THE GOT DOES NOT APPEAR AT
ALL PREPARED AT THIS POINT TO INITATE ANYNEW ATTEMPT TO
AVOID A CRISIS OVER THE SISMIK WHICH COULD IN TURN LEAD TO
HOSTILITIES BETWEEN GREECE AND TURKEY. THE GOT SEEMS
TOTALLY CONVINCED OF THE "RIGHTNESS" OF ITS LEGAL POSITION
AND APPEARS UNWILLING, DESPITE MY ARGUMENTS, TO CONSIDER
THAT THE GOG HAS A SIMILARLY ARGUABLE LEGAL POSITION. I
SUSPECT THAT ONE ELEMENT IN THE TOUGH POSITION CAGLAYANGIL
DISPLAYED TODAY IS THAT HE, LIKE PRIMIN CARAMANLIS
(ATHENS 7814 DTG 021659Z AUG 76), BELIEVES THAT THEY HAVE
SOME TIME TO PLAY WITH BEFORE THE SISMIK MOVES INTO DISPUTED
AREAS. AS THAT TIME BEGINS TO RUN OUT, THE GOT MAY BEGIN
TO SHOW MORE FLEXIBILITY, ESPECIALLY AS I REMAIN CONVINCED
THAT NEITHER SIDE REALLY EXPECTS OR WANTS A CLASH.
NEVERTHELESS, ON THE BASIS OF AMBASSADOR KUBISCH'S RECENT
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PAGE 03 ANKARA 05940 02 OF 02 031723Z

CABLES AND ON MY CONVERSATIONS HERE, I CONTINUE TO
FEEL THAT BOTH SIDES MAY BE BACKING INTO A SHOWDOWN FROM
WHICH NEITHER WILL BE IN A POSITION TO RETREAT.
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